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April 27, 2022

Via ECF:

The Honorable John P. Cronan, U.S.D.J.
United States District Judge
Southern District Of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Courtroom 12D
New York, New York 10007
CronanNYSDChambers@nysd.uscourts.gov

Re: **Santos Guzman Garcia, et al. v. Moncon, Inc., et al.**
Docket No. 1:20-cv-5024 (JPC)

Dear Judge Cronan:

This office represents Plaintiffs in the above referenced matter ("Plaintiffs"), and we respectfully submit this letter motion jointly with Defendants to extend the time for the parties to file their proposed joint pretrial order and all other required pretrial filings, including any motions in limine in accordance with 7.B-C of the Court's Individual Rules and Practices in Civil Cases ("pre-trial documents").

As an initial matter, we sincerely apologize to the Court for not filing this request prior to the original deadline for filing the pre-trial documents by April 20, 2022. The parties had discussed via e-mail requesting an extension prior to the April 20, 2022 deadline but were unable to schedule a call to agree on new proposed dates until April 21, 2022, at which point the deadline had passed and the Court had issued the April 21, 2022 Order.

This is the parties' second request for an extension of the date to file the pre-trial documents. On October 26, 2021, the Court endorsed a joint letter filed by the parties confirming that discovery had closed and requesting December 24, 2021 as the date by which to file the pre-trial documents. The endorsement also required the parties to "submit a joint letter within 2 weeks of the filing of this Order proposing trial ready dates for the first three quarters of 2022."

The parties submitted a letter with proposed trial dates for the first three quarters of 2022 on November 9, 2021. Additionally, in anticipation of the December 24, 2021 deadline for filing the pre-trial documents, the parties submitted their first motion to request an extension of time to file the pre-trial documents by February 7, 2022.

On February 8, 2022, the Court ordered that due to scheduling conflicts with the proposed dates in the first three quarters of 2022 as proposed in the November 9 letter, the parties were to submit a letter proposing trial ready dates for the fourth quarter of 2022 by March 15, 2022.

On March 15, 2022, the parties submitted the letter proposing such dates, and on March 16, 2022, the Court scheduled a trial to commence on October 24, 2022. At that time, the Court also ordered that the pre-trial documents be filed by April 20, 2022, the deadline for which the parties again apologizing for overlooking.

Given the trial date of October 24, 2022, the parties were preparing to ask the Court for additional time to submit the pre-trial documents prior to the April 20, 2022 deadline. We make the same request herein. Notwithstanding our failure to comply with the prior order, we kindly ask the Court for additional time to submit the pre-trial documents. We ask the Court for approximately 45 days to file the pre-trial documents, or by June 15, 2022. The reason we make this request is that the setting of a final trial date has intensified both parties' interest in trying to resolve both this matter and many related matters that are pending in arbitration. Both firms are currently dealing with countless tight deadlines in this matter and ten separate arbitration matters and we believe it is in our clients' best interests to try to resolve these matters to avoid the additional costs and expenses associated with hours of trial preparation and finalizing all of the required pre-trial documents.

If this request is granted, the parties would file all of the pre-trial documents by June 15, 2022, should the matter not resolve by that date. The pre-trial documents would then be filed four months in advance of the trial date and the parties would be prepared to provide any additional information in that extended interim period as required by the Court. The parties do not at this time intend to request any further extensions of this deadline if granted by the Court.

We thank the Court for its consideration of this request and apologize again for the inconvenience caused by our failure to comply with the March 16, 2022 Order.

Respectfully submitted,

/s/

James O'Donnell, Esq.

CC: via ECF


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ATTORNEYS TO BE NOTICED FOR THE DEFENDANTS

The parties' request for extension of time to file their proposed joint pretrial order and all other required pretrial filings in accordance with 7.B-C of the Court's Individual Rules and Practices in Civil Cases (the "Pre-Trial Documents") is granted. The parties shall file the Pre-Trial Documents by June 15, 2022. The parties are reminded that, pursuant to 3.B of the Court's Individual Rules and Practices in Civil Cases, a request for an extension or adjournment must be made *at least 48 hours* (i.e., two business days) prior to the scheduled appearance or deadline absent compelling circumstances. Requests for extensions will ordinarily be denied if made after the expiration of the original deadline.

SO ORDERED.

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Date: April 27, 2022
New York, New York


JOHN P. CRONAN
United States District Judge